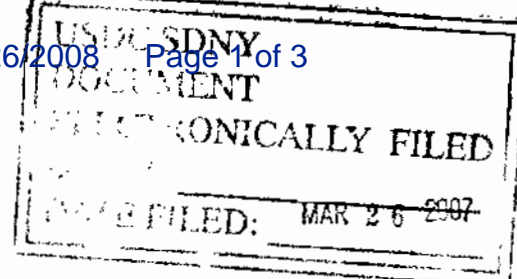


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
Kenmore Associates, LP
Housing & Services, Inc.
Norris McLaghlin & Marcus
Plaintiff(s),

08cv02431(GBD)
INITIAL PRETRIAL
CONFERENCE

-against-

Brian Burke
Defendant(s).
-----X

Counsel for all parties and pro se defendant are hereby directed to attend a conference at the time and place fixed below, for the purpose of Case Management and scheduling pursuant to Fed. R. Civ. P. 16.

An Initial pretrial conference will be held on **Tuesday, April 22, 2008 at 9:30 a.m.** at the United States District Courthouse, 500 Pearl Street, New York, New York, Courtroom 15D.

No application for adjournment will be considered unless made within one week of the date of this application.

Enclosed is a proposed Case Management Plan and Scheduling Order, pursuant to Rules 16 and 26 (f) of the Federal Rules of Civil Procedure. All parties are directed to confer regarding the proposed plan and order. If the proposed schedule is agreeable to all parties, they shall sign and file the enclosed plan and order with the Court seven (7) days before the date of the initial pretrial conference. If the parties agree that a different plan and schedule is appropriate, they shall sign and file a different proposed plan and schedule for the court's consideration seven (7) days before the date of the pretrial conference. In the absence of agreement, the Court, will order a Case Management Plan and schedule at the conference. Absent extraordinary circumstances, the Plan shall provide that the case be ready for trial within six months.

In addition to the matters covered in the Case Management Plan, the parties should also be prepared to address at the conference the factual and legal bases for their claims or defenses, any issue as to subject matter jurisdiction, and any other issue relevant to case management.

Dated: New York, New York
March 26, 2008

SO ORDERED:

GEORGE B. DANIELS
United States District Judge

Returned to chambers for scanning on 4/1/08
Scanned by chambers on _____

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
-----X

Kenmore Associates, LP
Housing & Services, Inc.
Norris McLaghlin & Marcus,

Plaintiff,

-against-

Brian Burke,

Defendant,
-----X

08cv02431(GBD)
CIVIL CASE MANAGEMENT
PLAN AND SCHEDULING ORDER

After consultation with counsel for the parties, the following Case Management Plan is adopted. This plan is also a scheduling order pursuant to Rules 16 and 26(f) of the Federal Rules of Civil Procedure.

1. No **additional parties** may be joined after **June 3, 2008**.
2. No **amendment** to the pleadings will be permitted after **June 3, 2008**.
3. Except for good cause shown, all **discovery** shall be commenced in time to be completed by **July 8, 2008**. The Court expects discovery to be completed within 90 days of the first scheduling conference unless, after the expiration of that 90 day period, all counsel stipulate that additional time (not to exceed 60 more days) is needed to completed discovery. In such event, discovery may be extended by the parties on consent, without application to the Court, provided the parties are certain they can still meet the discovery completion date ordered by the Court. The discovery completion date shall not be adjourned except upon a showing of extraordinary circumstances.
4. **Dispositive motions** are to served by **October 7, 2008**. Answering papers are to be served within 14 days. Reply papers are to be served within seven (7) days. In the event a dispositive motion is made, the date for submitting the Joint Pretrial Order shall be changed from that shown herein to three(3) weeks from the decision on the motion. The final pretrial conference shall be adjourned to a date four (4) weeks from the decision on the motion.
5. A final **pretrial conference** will be held on **November 4, 2008 at 9:30 a.m.**.
6. The **Joint Pretrial Order** shall be filed no later than **October 14, 2008**. The requirements for the pretrial order and other pretrial submissions shall be governed by the Court's Individual Rules of Practice.
7. **All motions and applications** shall be governed by the Court's Individual Rules of Practice.

8. The parties shall be **ready for trial** on 48 hours notice on or after **November 18, 2008**. The estimated trial time is _____ days, and this is a (jury) (non-jury) trial.
9. The **Next Case Management Conference** will be held on **August 12, 2008 at 9:30 a.m.**

Dated: March 26, 2008
New York, New York

SO ORDERED:

GEORGE B. DANIELS
United States District Judge

Attorney for Plaintiff

Attorney for Defendant